

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
DAYTON DIVISION**

Barbara Ofzky

Plaintiff,

v.

Valentine & Kebartas, Inc.

Defendant.

CASE NO.: 3:07-cv-0162

JUDGE: Thomas M. Rose

**NOTICE OF DISMISSAL
WITH PREJUDICE**

Now comes Plaintiff, by and through counsel, and hereby dismisses the present action pursuant to Fed. R. 41(a)1(i), with prejudice. This notice is being filed before Defendant has served an answer and therefore is appropriate for dismissal absent stipulation by all parties.

RESPECTFULLY SUBMITTED,

Macey & Aleman

By: /s/ Jeffrey S. Hyslip
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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2007 a copy of the foregoing Notice was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. The following party was served through U.S. Mail. Parties may access this filing through the Court's system.

Valentine & Kebartas, Inc.
c/o Robert M. Kebartas, Statutory Agent
VKI
15 Union Street
Lawrence, MA 01840

/s/ Jeffrey Hyslip